

BEFORE
THE
FEDERAL COMMUNICATIONS COMMISSION

In the Matter of)	
)	
Federal-State Joint Board on)	CC Docket No. 96-45
Universal Service)	
_____)	

ANNUAL CERTIFICATION OF RCC MINNESOTA, INC.

RCC Minnesota, Inc. ("RCC", the "Company") an Eligible Telecommunications Company in the State of Alabama hereby provides the Commission with an annual compliance filing containing information as set forth in the Commission's Order in the above-captioned proceeding ("*ETC Certification Order*")¹ and in the Commission order designating Company as an ETC.²

1. Construction Plan Progress and Use of Support

Pursuant to the *ETC Certification Order*, RCC must "submit... progress reports on the ETC' five-year service quality improvement plan, including maps detailing progress towards meeting its plan targets, an explanation of how much universal service support was received and how support was used to improve signal quality, coverage, or capacity; and an explanation regarding any network improvement targets that have not been fulfilled."³

¹ *Report and Order In the Matter of the Federal-State Joint Board on Universal Service*, FCC 05-46, March 17, 2005.

² *See Federal-State Joint Board on Universal Service, RCC Holdings, Inc.*, DA 02-3181 (W.C.B. rel. Nov 27, 2002)

³ *See ETC Certification Order* at p. 7.

RCC was first designated as an ETC in Alabama on November 27, 2002. Since the date of its designation through June 30, 2005, the company has received a total of \$. For that same period RCC has invested \$' in capital improvements and another \$ in other eligible improvements to infrastructure and services, not counting General and Administrative expenses.

During the last twelve month period the company has received a total of \$ in Universal Service Support. Information provided below is as of June 30, 2006 which is the company's most recent quarterly period for which accounting data is available.

For the period between July 1, 2005 and June 30, 2006, RCC invested \$ in capital improvements and another \$ in other eligible improvements to infrastructure and services, not counting General and Administrative expenses, for a total of \$

As part of the \$ capital improvements noted above, RCC completed construction of

Since the requirement to submit a five-year construction plan is new since RCC's designation in 2002, RCC hereby submits its current plan for the next five years (see **Exhibit A**). RCC plans to build over that period as outlined in the Service Improvement Plan.

2. Outage Reporting

In the last twelve months RCC has had outages of at least 30 minutes in duration on the facilities it owns, operates, leases, or otherwise utilizes that potentially affect at least ten percent of the end users served in its designated service area in Alabama, pursuant to the Federal Communications Commission's *Report and Order*.⁴ These outages are included on **Exhibit B**.

3. Service Requests

In the last twelve months, there were no unfulfilled requests for service from potential customers within the designated ETC service area (**Exhibit C**). However, RCC hereby certifies that it continues to follow the six-step process for provisioning service to requesting customers.

Specifically, in response to such requests for service at a residence or business, RCC will take the following steps:

1. If a request comes from a customer within its existing network, RCC will provide service immediately using its standard customer equipment.
2. If a request comes from a customer residing in any area where RCC does not provide service, RCC will take a series of steps to provide service.

⁴ See *New Part 4 of the Commission's Rules Concerning Disruptions to Communications Report and Order and Further Notice of Proposed Rulemaking*, 199 FCC Rcd 16830, 16923-24, §4.5 (2004) ("Outage Reporting Order")

* First, it will determine whether the customer's equipment can be modified or replaced to provide acceptable service.

* Second, it will determine whether a roof-mounted antenna or other network equipment can be deployed at the premises to provide service.

* Third, it will determine whether adjustments at the nearest cell site can be made to provide service.

* Fourth, it will determine whether there are any other adjustments to network or customer facilities which can be made to provide service.

* Fifth, it will explore the possibility of offering the resold service of carriers that have facilities available to that location.

* Sixth, RCC will determine whether an additional cell site, a cell-extender, or repeater can be employed or can be constructed to provide service, and evaluate the costs and benefits of using scarce high-cost support to serve the number of customers requesting service. If there is no possibility of providing service short of these measures, RCC will notify the customer and notify the FCC of how many requests for service could not be filled in its next annual certification report. The FCC will retain authority to resolve any customer complaints that RCC has refused to respond to a reasonable request for service.

4. Consumer Complaints

In the twelve months prior to June 30, 2006, RCC has received complaints per 1,000 handsets.

5. Commitment to CTIA's Consumer Code for Wireless Services.

In the *ETC Certification Order*, the FCC reiterated that carriers must commit to abide by the CTIA Consumer Code for Wireless Services.⁵ In submitting this report RCC certifies that it will abide by the CTIA Consumer Code for Wireless Services, as it may be amended from time to time, for all of its operations in Alabama.

6. Ability to Remain Functional in Emergencies.

The FCC's rules require an ETC applicant to:

demonstrate its ability to remain functional in emergency situations, including a demonstration that it has a reasonable amount of back-up power to ensure functionality without an external power source, is able to reroute traffic around damaged facilities, and is capable of managing traffic spikes resulting from emergency situations.⁶

RCC is mindful of the importance of ensuring uninterrupted service so that law enforcement and public safety officials, as well as the general public, can make important calls in the event of a hurricane or other emergency. RCC hereby certifies that the company is capable to function in emergency situations as defined in the above-referenced *ETC Certification Order*. RCC's network is engineered for a minimum of 4 hours of battery standby power at each cell site and has the necessary equipment to allow a portable generator to be connected to extend functionality without an external power source. RCC has 31 sites with permanent generators installed and 8 portable generators for transport to affected areas. Mobile switching centers are equipped with battery back-

⁵ Under the CTIA Consumer Code, wireless carriers agree to: (1) disclose rates and terms of service to customers; (2) make available maps showing where service is generally available; (3) provide contract terms to customers and confirm changes in service; (4) allow a trial period for new service; (5) provide specific disclosures in advertising; (6) separately identify carrier charges from taxes on billing statements; (7) provide customers the right to terminate service for changes to contract terms; (8) provide ready access to customer service; (9) promptly respond to consumer inquiries and complaints received from government agencies; and (10) abide by policies for protection of consumer privacy. The CTIA Code can be viewed on the Web at http://www.wow-com.com/pdf/The_Code.pdf.

⁶ *ETC Report and Order*, *supra*, 20 FCC Rcd at 6382, para. 25

up systems engineered for a minimum of 8 hours of standby power and are equipped with dedicated automatic start up generators. RCC is capable of rerouting traffic around damaged facilities. Portions of RCC's network provides for overlapping coverage of cell sites which allows a neighboring site to provide service in the event of a cell site failure. RCC is capable of deploying temporary base station and antenna systems and has a tower crew under contract. RCC also deploys a microwave transport network in a portion of its network which provides the ability to change call routing translations. RCC has implemented industry practices to manage traffic spikes through its network design, has the ability to deploy temporary base station and antenna systems, as well as the ability to change call routing translations.

7. Local Usage

In the *ETC Certification Order*, the Commission concluded that each ETC must annually certify that it offers at least one local usage plan comparable to the one offered by the incumbent LEC in the service areas for which the applicant seeks designation.⁷ In the *ETC Report and Order* on which that requirement was based, FCC declined to adopt a specific local usage threshold or require that an applicant match the incumbent's offering. Rather, the FCC concluded that the comparability of rate plans should be evaluated on a case-by-case basis, in consideration of the number of included minutes, the size of the "local" calling area, monthly price, and other factors. As examples, the FCC mentioned that an applicant may offer "a local calling plan that has a different calling area than the local exchange area provided by the LECs in the same region, or . . .

⁷ See *id.* at 6385, para. 32.

a specified number of free minutes of service within the local service area.”⁸ The FCC also envisioned cases where an applicant may offer an unlimited calling plan that bundles local minutes with long distance minutes.⁹

RCC satisfies the FCC’s local usage requirement. Customers may choose from a variety of plans with different combinations of local calling areas, included minutes, and monthly rates, to suit individual consumer needs. Examples of rate plans available to RCC’s customers are outlined in **Exhibit D**.

RCC’s service offerings allow consumers to select a plan that provides them with equal or greater value than a wireline rate plan. RCC’s licensed area – its smallest ‘local’ calling area – is much larger than rural ILEC local calling areas, which typically allow a consumer to reach only a few hundred or a few thousand people within an area made up of a handful of exchanges. Consumers who make calls primarily within RCC’s licensed area will benefit from unlimited local calling at a low monthly price. If they travel more or make many calls to relatives or business associates beyond that area, they may benefit from one of the nationwide plans. Providing deeper geographic reach delivers a significant benefit to the consumer, and the FCC has cited studies concluding that “wireless service is cheaper than wireline, particularly if one is making a long distance call or when traveling.”¹⁰

In sum, RCC certifies that it offers at least one plan that is comparable to ILEC rate plans under the applicable FCC test.

⁸ *Id.* at para. 33.

⁹ *Id.*

¹⁰ *Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report & Analysis of Competitive Market Conditions with Respect to Commercial Mobile Servs., Ninth Report*, 19 FCC Rcd. 20597, 20684, para. 214 (2004) (“*Ninth CMRS Competition Report*”).


8. **Equal Access.**

As required of applicants before the FCC under the *ETC Report and Order*,¹¹ RCC acknowledges that the FCC may require it to provide equal access to interexchange carriers in the event no other ETC is providing equal access in the designated ETC service area.

We trust that you will find this to be responsive to the compliance materials requested in the *ETC Certification Order* and in the orders designating RCC as an ETC in Alabama. Should you have any questions or require any additional information, please contact the undersigned counsel directly.

Respectfully submitted,

RCC Minnesota, Inc.

By: 
David Del Zoppo
Senior Vice President, Finance and Accounting

Dated: September 25, 2006

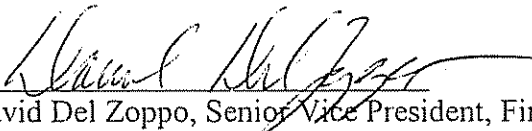
¹¹ See *ETC Report and Order*, *supra*, 20 FCC Rcd at 6386, para. 35.

DECLARATION UNDER PENALTY OF PERJURY

I, David Del Zoppo, do hereby declare under penalty of perjury as follows:

1. I am the Senior Vice President, Finance and Accounting of RCC Minnesota, Inc. ("RCC")
2. This Affidavit is submitted in support of RCC's Annual Compliance Filing and Request for Recertification, pursuant to *Report and Order In the Matter of the Federal-State Joint Board on Universal Service*, FCC 05-46 (rel. March 17, 2005) and Sections 54.202 and 54.209 of the FCC's Rules.
3. I declare under penalty of perjury that the statements contained in the foregoing Annual Compliance Filing are true and correct to the best of my knowledge.

Executed on September 25, 2006


David Del Zoppo, Senior Vice President, Finance and Accounting
RCC Minnesota, Inc.

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me this 25 day of
September, 2006.


NOTARY PUBLIC

My Commission Expires: 1/31/2010

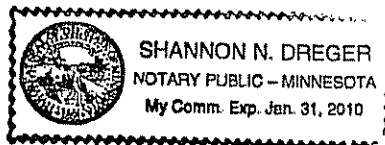


EXHIBIT A

**THIS EXHIBIT IS WITHHELD FROM THE ELECTRONICALLY SUBMITTED
VERSION AS THE FILER HAS REQUESTED CONFIDENTIAL TREATMENT**

EXHIBIT B

**THIS EXHIBIT IS WITHHELD FROM THE ELECTRONICALLY SUBMITTED
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EXHIBIT C

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